



The Honorable Franklin D. Burgess

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT TACOMA

BEAGLE, BURKE & ASSOCIATES,
Guardian of the Estate of Ryan Cuthbert,

Plaintiff,

vs.

US BANK, NATIONAL ASSOCIATION,
(a/k/a US Bank) a financial institution doing
business in the State of Washington and as
successor in interest to NORTHWEST
NATIONAL BANK, (a/ka/ NW National
Bank) a financial institution that did
business in the State of Washington,

Defendant and Third-Party Plaintiff,

vs.

RONALD J. CUTHBERT AND DEBORAH
R. CUTHBERT, husband and wife,

Third-Party Defendants.

NO.: C06-5135FDB

STIPULATION AND AGREED ORDER
DISMISSING PLAINTIFF'S CLAIMS AGAINST
DEFENDANT

CLERK'S ACTION REQUIRED

STIPULATION

1. Plaintiff, Beagle, Burke & Associates, Guardian of the Estate of Ryan Cuthbert
is the Plaintiff herein.

NEIL, NETTLETON & NEIL, P.S.
Attorneys at Law
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Tacoma, WA 98408
(253) 475-8600
(253) 473-5746 FAX

SING PLAINTIFF'S

06-CV-05135-ORD

2. US Bank, National Association, is the Defendant and Third-Party Plaintiff herein.

3. Plaintiff, Beagle, Burke & Associates, Guardian of the Estate of Ryan Cuthbert and Defendant, US Bank, National Association have resolved all issues between them following notice to Third-Party Defendants, Ronald J. and Deborah R. Cuthbert, wherein the Settlement Agreement between Plaintiff, Beagle, Burke & Associates, Guardian of the Estate of Ryan Cuthbert and Defendant, US Bank, National Association was approved by the guardianship court, Clark County Superior Court for the State of Washington, Case No.: 82 4 00506 2, and determined to be reasonable and in the best interest of Ryan J. Cuthbert.

4. Plaintiff, Beagle, Burke & Associates, Guardian of the Estate of Ryan Cuthbert and Defendant, US Bank, National Association stipulate that the claim(s) asserted by Plaintiff, Beagle, Burke & Associates, Guardian of the Estate of Ryan Cuthbert against Defendant, US Bank, National Association should now be dismissed with prejudice and without an award of fees and costs to either party.

Dated this 16th day of October, 2006.

NEIL, NETTLETON & NEIL, P.S.

/s/ Robert B. Nettleton

ROBERT B. NETTLETON

WSBA # 17403

Attorney for Plaintiff

Beagle, Burke & Associates, Guardian of the Estate of Ryan Cuthbert

PRESTON GATES & ELLIS, LLP

/s/ Kimberly W. Osenbaugh

KIMBERLY W. OSENBAUGH

WSBA # 5307

Attorneys for Defendant/Third-Party Plaintiff

US Bank, NA

ORDER

BASED UPON THE FOREGOING STIPULATION, it is hereby, ORDERED,

STIPULATION AND AGREED ORDER DISMISSING PLAINTIFF'S
CLAIMS AGAINST DEFENDANT - Page 2

rbn

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1 ADJUDGED AND DECREED as follows:

2 1. That the claim(s) of Plaintiff, Beagle, Burke & Associates, Guardian of the
3 Estate of Ryan Cuthbert asserted against Defendant, US Bank, National Association are
4 dismissed with prejudice and without an award of fees and costs to either party.

5 2. That only the claim(s) between Third Party-Plaintiff, US Bank, National
6 Association and Third Party Defendant, Ronald and Deborah Cuthbert shall now proceed to
7 trial.

8 DATED THIS 17 day of October, 2006.

9
10 
11 The Honorable Franklin D. Burgess

12 Presented by:

13 NEIL, NETTLETON & NEIL, P.S.

14 /s/ Robert B. Nettleton

15 ROBERT B. NETTLETON

16 WSBA # 17403

Attorney for Plaintiff

Beagle, Burke & Associates, Guardian of the Estate of Ryan Cuthbert

17 Approved for entry, Notice of Presentation Waived:

18 PRESTON GATES & ELLIS, LLP

19 /s/ Kimberly W. Osenbaugh

20 KIMBERLY W. OSENBAUGH

21 WSBA # 5307

Attorneys for Defendant/Third-Party Plaintiff

22 US Bank, NA
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